

PATENT APPLICATION SERIAL NO. _____

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
FEE RECORD SHEET

13/28/2005 NGUYEN 00000019 160221 10653692

11 FC:2202 475.00 DA
12 FC:2201 300.00 DA

Adjustment Date: 09/16/2005 SDIRETA1
03/28/2005 NGUYEN 00000019 160221 10653692
01 FC:2202 475.00 CR
02 FC:2201 300.00 CR

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PTO 1556

1556

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE 2. 27

US PATENT & TRADEMARK
OFFICE

In re Application of: Allen Carl
Serial No.: 10/653,692
Filed: 09/02/2003
For:

SELECTIVE DELIVERY OF CRYOGENIC ENERGY
TO INTERVERTEBRAL DISC TISSUE AND
RELATED METHODS OF INTRADISCAL
HYPOTHERMIA THERAPY

Group Art Unit: 3739
Examiner: Unknown
Attorney's Docket No.: CARL-1 CON

Mail Stop 16
Director of the US Patent and Trademark Office
PO Box 1450
Alexandria, VA 22313-1450

Sir:

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL,
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July 20, 2005

(DATE OF DEPOSIT)

Margaret M. Slezak

(NAME OF ATTORNEY)

Margaret M. Slezak

(SIGNATURE)

July 20, 2005

(DATE OF SIGNATURE)

REQUEST FOR REFUND

Our Deposit Account Statement dated March 2005 indicates
that two charges in the amounts of \$475.00 and \$300.00 were
charged to Deposit Account No. 16-0221 without authorization.
The March 2005 statement also indicates that \$105.00 was refunded

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PATENT IDENTIFICATION
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- 2 -

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to Deposit Account No. 16-0221 with regard to the above-identified patent application. Please refer to the enclosed copy of the Deposit Account Statement. We believe that the Deposit Account charges were in error and without authorization for the reason mentioned below.

The above-identified application was filed 9/02/2003 with a total of 39 claims (6 independent) and without paying any of the filing fees. Subsequently, on 3/15/2005, we filed a Response to Notice of Missing Parts, which included the basic filing fee and surcharge for late payment. Also at this time, we submitted a Preliminary Amendment which canceled all but one claim. Since the additional claims are no longer a part of the application we request that the charges to the deposit account for additional claim fees be refunded.

Please investigate this matter and please credit our Deposit Account No. 16-0221 accordingly.

Thank you.

Respectfully submitted,

Margaret M. Slezak
Margaret M. Slezak, Esq.
Registration No. 55,625
Pandiscio & Pandiscio, P.C.
470 Totten Pond Road
Waltham, MA 02451-1914
Tel. (781) 290-0060

EC2/CARL1CON.REF

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Deposit Account Statement

Requested Statement Month: March 2005
Deposit Account Number: 160221
Name: PANDISCIO & PANDISCIO, P.C.
Attention: NICHOLAS PANDISCIO
Address: 470 TOTTEN POND ROAD
City: WALTHAM
State: MA
Zip: 02154
Country: UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
03/01	31	10119389	CHAN-1 CON 6	1814	\$80.00	\$8,260.00
03/09	31	PCT/US03/09414		9204	-\$88.00	\$8,348.00
03/09	32	D502039		8001	\$9.00	\$8,339.00
03/09	131	29181567	GOTZ-12 DES	2252	\$10.00	\$8,329.00
03/10	3	09715714	INNO-31	1201	\$1,200.00	\$7,129.00
03/10	162	10959920		9204	-\$40.00	\$7,169.00
03/10	163	10959920		9204	-\$65.00	\$7,234.00
03/11	188	3113649		8001	\$3.00	\$7,231.00
03/11	189	424088		8001	\$3.00	\$7,228.00
03/11	190	4292764		8001	\$3.00	\$7,225.00
03/11	191	3107758		8001	\$3.00	\$7,222.00
03/11	192	454343		8001	\$3.00	\$7,219.00
03/11	193	3134134		8001	\$3.00	\$7,216.00
03/11	194	3546736		8001	\$3.00	\$7,213.00
03/11	195	3545032		8001	\$3.00	\$7,210.00
03/11	196	4881353		8001	\$3.00	\$7,207.00
03/11	197	4570384		8001	\$3.00	\$7,204.00
03/11	198	4078334		8001	\$3.00	\$7,201.00
03/11	199	3384996		8001	\$3.00	\$7,198.00
03/11	200	3147831		8001	\$3.00	\$7,195.00
03/15	66	10818012	AM-6	2051	\$65.00	\$7,130.00
03/17	35	10401819	MCCART-1	2202	\$125.00	\$7,005.00
03/21	3	11053576		9204	\$175.00	\$6,830.00
03/21	15	11053576	ECO-5 CON 1B	2081	\$325.00	\$6,505.00
03/21	66	10653692		9204	-\$105.00	\$6,610.00
03/28	5	PCT/US05/06412		9204	-\$72.00	\$6,682.00
03/28	25	60658279	EXCHANGE-1 PROV	2085	\$125.00	\$6,557.00

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03/28 54	10653692	CARL-1 CON	2202	\$475.00	\$6,082.00
03/28 55	10653692	CARL-1 CON	2201	\$300.00	\$5,782.00
03/29 1	29181567	GOTZ-12 DES	2252	-\$10.00	\$5,792.00
03/29 4	29181567		9204	\$46.00	\$5,832.00
03/30 6	10459335	SCHOTT-3	1811	\$100.00	\$5,732.00
START		SUM OF	SUM OF	END	
BALANCE		CHARGES	REPLENISH	BALANCE	
\$8,340.00		\$3,028.00	\$420.00	\$5,732.00	

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HUDAK, SHUNK & FARINE CO. L.P.A
2020 Front Street, Suite 307, Cuyahoga Falls, Ohio 44221
Telephone: 330-535-2220
Facsimile: 330-535-1435

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To: REFUND DIVISION - USPTO

Date: July 21, 2005

Recipient's Fax No.: 1-571-273-6500

From: Joyce Spencer

RE: Charges Made By Another Firm to our Deposit Account 08-3150

Message:

We just received our Deposit Account Statement for June 2005 and found that there are two charges made to our account which are not ours. I have circled these charges on the attached copy of the Statement. We have no idea what they are or how they got on our Deposit Account. We would like them removed and our account credited for \$1,350.00 as soon as possible.

If you have any questions, you can contact me at the above number.

TOTAL OF 2 PAGE(S) ARE BEING FAXED. IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 330-535-2220

PAGE 1/2 * RCVD AT 7/21/2005 12:10:46 PM [Eastern Daylight Time] * SVR:USPTO-EFAXF-6/24 * DNIS:2736500 * CSID: * DURATION (mm:ss):00:52

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JUL-21-2005 12:17



UNITED STATES PATENT AND TRADEMARK OFFICE

P.02

MONTHLY STATEMENT
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and return top portion with your check. Make check payable to Director of Patents & Trademarks.

HUDAK & SHUNK CO. L. P. A.
JOYCE SPENCER
2020 FRONT ST., SUITE 307
CUYAHOGA FALLS, OH 44221

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JUL 21 2005

HUDAK, SHUNK & FARINE
CO., L.P.A.

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MO.	DAY	YR.						
6	6	05	59	60585829	2040P07072A	8007		
6	6	05	60	11105494	2040P07072A	8007	20.00	3741.00
6	10	05	8	08655491	5479USC1	2453	20.00	3721.00
6	10	05	9	08655491	5479USC1	2501	685.00	3036.00
6	27	05	1851	11100994	5479USC1	2501	665.00	2371.00
						8021	40.00	2331.00

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AN AMOUNT SUFFICIENT TO
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